

### Remarks

Claims 1-15 are pending in the application and are presented for the Examiner's review and consideration. Claim 1 has been amended and claims 13-15 have been added. Applicant believes the claim amendments and accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

#### Section 103 Rejections

Claims 1-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,193,808 to Decker ("Decker") in view of European Patent Application No. 057 757 A1 ("EP '757"). Claims 1-12 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Decker in view of International Patent Application No. WO 01/85505 ("WO '505"). For the reasons set forth below, Applicant respectfully submits that the rejected claims are not taught or suggested by the cited references, either alone or in combination.

Before discussing the prior art in detail, a brief review of the invention as claimed is provided. Claim 1 now recites an improved portal washing facility for motor vehicles having, *inter alia*, the following features:

at least one lateral high-pressure washing device mounted on the traverse of the portal device for high-pressure cleaning of the side surfaces and of the front and rear surfaces of the motor vehicle,  
said at least one lateral high-pressure washing device being movable on the traverse to move transversely to the direction of motion of the portal device.

Applicant respectfully submits that the Office Action is incorrect in asserting that "Decker '808 discloses a portal washing facility comprising ... vertical high-pressure spraying devices (8) which are disclosed to spray the sides of the vehicle as the portals traverse the vehicle." Rather, Decker describes that the stationary vertical nozzles 8 are part of a drying device for drying the vehicle after the cleaning operation performed by the vertical and horizontal brushes. (column 2, line 65, to column 3, line 4).

With regard to EP '757, this European patent application does not disclose a lateral high pressure washing device that can move transversely to the direction of motion of the portal in order to provide high-pressure cleaning of the side surfaces and of the front and rear surfaces of the vehicle. According to EP '757, the cleaning of the front and rear surfaces is only effected by

the horizontal spray bar 7 as clearly shown in Fig. 2. For cleaning the front and rear surfaces of the vehicle, the horizontal spray bar 7 has to be rotated about its longitudinal axis and has to be lowered in front of the vehicle front and behind the vehicle rear. The lateral (vertical) spray bars 8, 9 are only used for cleaning the vehicle side surfaces.

In addition, due to the above differences, a replacement of the vertical drying nozzles 8 in Decker with the vertical spray bars 8, 9 taught in EP '757 would not lead one with ordinary skill in the art to a portal washing facility that allows not only washing with conventional washing brushes but also a complete high-pressure washing of the side surfaces and of the front and rear surfaces of the vehicle by a lateral high-pressure device that is movable on the traverse to permit movement transverse to the direction of motion of the portal device.

Because Decker in view of EP '757 does not teach or suggest a high-pressure washing device mounted on the traverse of the portal device for high-pressure cleaning of the side surfaces and of the front and rear surfaces of the motor vehicle, claim 1 of the instant application would not be obvious to one with ordinary skill in the art.

Turning now to the second combination of Decker and WO '505, WO '505 does nothing to remedy the deficiencies of Decker as previously discussed.

WO '505 discloses a vehicle wash system including a support frame 12 positioned within a wash bay for receiving the vehicle to be cleaned. The support frame includes a pair of longitudinal support rails onto which an overhead gantry is movable such that the overhead gantry can travel along the entire length of the vehicle. The overhead gantry 16 includes a spray arch 18 having a top arm 20 and a side arm 22. During the washing process, the spray arch has to be moved along with the overhead gantry 16 to wash the sides of the vehicle. Additionally, the spray arch 18 has to be rotated about a vertical axis and is mounted to an overhead drive assembly to move the spray arch from one side of the overhead gantry to the other side. However, due to possible collisions with the washing brushes, such a longitudinal guidance of the overhead gantry along a pair of longitudinal support rails cannot be integrated in a portal device with at least one height-adjustable horizontal washing brush and at least one side washing brush that moves transverse to the direction of motion of the portal device.

Accordingly, a combination of Decker and WO '505 is not practicable and would also not lead to a portal washing facility as claimed in the instant application. Therefore, one with

ordinary skill in the art reading Decker in view of WO '505 would not think that the invention according to claim 1 is obvious.

In light of the foregoing, independent claim 1 is respectfully submitted to be patentable over the cited references, whether taken alone or in any combination. As claims 2-12 depend from claim 1, these dependent claims necessarily include all the elements of their base claim and are allowable at least for the same reasons.

#### New Claims

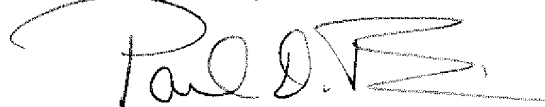
Applicant has added claims 13-15 to further define the invention. As claim 13 is analogous in scope to claim 1 and claims 14 and 15 depend from claim 13, Applicant respectfully submits that the new claims are allowable over the cited prior art at least for the same reasons as set forth above for claim 1.

#### Conclusion

In light of the foregoing, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 740-A03-036).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul D. Bianco", with a large, sweeping flourish extending from the end of the signature.

Paul D. Bianco, Reg. # 43,500

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